

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

This document relates to:

*The County of Summit, Ohio, et al. v. Purdue
Pharma L.P., et al.*, Case No. 18-OP-45090

*The County of Cuyahoga v. Purdue Pharma
L.P.*, Case No. 17-OP-45004

*City of Cleveland v. AmerisourceBergen Drug
Corp.*, Case No. 18-OP-45132

MDL No. 2804

Case No. 17-md-2804

Hon. Dan Aaron Polster

**MOTION FOR LEAVE TO FILE EMERGENCY MOTION TO ENJOIN THE
MASSACHUSETTS ATTORNEY GENERAL'S OFFICE FROM VIOLATING THE
MDL PROTECTIVE ORDER AND THIS COURT'S DECEMBER 20 ORDER**

Defendants Purdue Pharma L.P. and Purdue Pharma Inc. ("Purdue") move this Court for leave to file the annexed emergency motion pursuant to paragraph 81 of this Court's protective order entered on May 15, 2018[Doc. #: 441] (the "MDL Protective Order") and its inherent authority for an Order enjoining the Massachusetts Attorney General's office from violating the terms of the MDL Protective Order and this Court's December 20, 2018 Order [Doc #: 1206].

For the reasons described in the annexed motion, Purdue urgently requests that the Court consider this emergency motion because Purdue faces an imminent risk of irreparable harm (*potentially as early as this Friday, February 1, 2019*) if the Massachusetts Attorney General discloses in a Massachusetts proceeding Purdue's confidential information without allowing the ongoing MDL review process to conclude.

Purdue has made diligent efforts to resolve this dispute with the Attorney General's Office and through Special Master Cathy Yanni, to no avail. Purdue now has no choice but to seek immediate court intervention to prevent what Purdue believes is a violation of the MDL Protective Order and this Court's December 20 Order. The motion is specifically authorized by paragraph 81 of the MDL Protective Order.

Expedited consideration by this Court is critical because a Massachusetts judge, Judge Janet L. Sanders issued an Order on January 28, ordering that an unredacted copy of the Amended Complaint be filed with this Court and be made available to the public no later than noon on February 1, 2019, and denying Purdue's motion for a stay. Purdue intends to file an appeal and motion for a stay on January 30, 2019 but may not receive relief from the Massachusetts appellate court by February 1.

Dated: January 30, 2019

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